

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA * Case No. 1:17CR218-1
 *
vs. * Greensboro, North Carolina
 * November 14, 2017
MICHAEL WAYNE BOYLES, * 10:30 a.m.
 *
 Defendant. *

TRANSCRIPT OF SENTENCING HEARING
BEFORE THE HONORABLE CATHERINE C. EAGLES
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government: ANAND P. RAMASWAMY, ESQUIRE
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 Greensboro, North Carolina 27401

For the Defendant: KATHLEEN A. GLEASON, ESQUIRE
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Court Reporter: Lori Russell, RMR, CRR
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P R O C E E D I N G S

(Defendant present.)

THE COURT: Okay.

MR. RAMASWAMY: Good afternoon -- I mean good morning,
Your Honor.

THE COURT: Good morning.

MR. RAMASWAMY: The Government would call for
sentencing United States versus Michael Wayne Boyles in
1:17CR218-1. He is represented by Kathleen Gleason.

THE COURT: Ms. Sanders, can you make a note to call
building maintenance and change that clock? I thought -- I
didn't think it would have taken me two hours to do that
previous case.

All right. Good morning, Ms. Gleason.

MS. GLEASON: Good morning, Your Honor.

THE COURT: You've seen Mr. Boyles' presentence report
and reviewed it with him?

MS. GLEASON: Yes, I have.

THE COURT: And are you ready for his sentencing
hearing?

MS. GLEASON: Yes, ma'am, I am.

THE COURT: Mr. Boyles, if you would stand. Good
morning.

THE DEFENDANT: Good morning.

THE COURT: Have you seen your presentence report?

1 **THE DEFENDANT:** Yes, ma'am.

2 **THE COURT:** And have you reviewed it and talked to
3 your lawyer about it?

4 **THE DEFENDANT:** Yes, ma'am.

5 **THE COURT:** Any questions about it?

6 **THE DEFENDANT:** No, ma'am.

7 **THE COURT:** Thank you. You can be seated.

8 I did not see any objections to the presentence report.
9 Are there any for the Government?

10 **MR. RAMASWAMY:** No, Your Honor.

11 **THE COURT:** For the Defendant?

12 **MS. GLEASON:** No, Your Honor.

13 **THE COURT:** The Court will adopt the presentence
14 report as is; and as to all matters in the report, the Court
15 will adopt them as findings of fact.

16 The total offense level is 23. The criminal history
17 category is III. The guideline range is 57 to 71 months. The
18 supervised release range is 1 to 3 years and the fine range is
19 20,000 to 200,000 dollars. The Court will take that into
20 account on an advisory basis in determining an appropriate
21 sentence.

22 Does the Government have additional evidence?

23 **MR. RAMASWAMY:** No, Your Honor.

24 **THE COURT:** What about the Defendant?

25 **MS. GLEASON:** No evidence, Your Honor.

1 **THE COURT:** It looked like he had some pending
2 unrelated state charges. Are those still pending?

3 **MS. GLEASON:** Your Honor, I've spoken with the --
4 there are two different district attorneys handling those
5 cases. I've spoken with them and they intend to dismiss them,
6 but not until they receive a copy of the judgments. They
7 remain pending, but I expect they will be resolved.

8 **THE COURT:** Okay. Go ahead then, Ms. Gleason.

9 **MS. GLEASON:** Thank you, Your Honor.

10 I want to mention that Mr. Boyles' mother intended to be
11 here, but there was a miscommunication about the time. So I
12 just wanted to make sure that the Court knows that she did
13 intend to be here and I need to call her so she doesn't show up
14 at two o'clock. As the Court saw in the presentence report,
15 his mother is probably his biggest fan.

16 I want to address a few things, Your Honor, and I'm going
17 to be asking the Court to sentence Mr. Boyles to a sentence in
18 the middle of the guideline range.

19 First, addressing the guidelines, the total offense level
20 takes into account the underlying base offense. It takes into
21 account the fact that he was using heroin as a means to involve
22 these women with the two-level increase for the other felony,
23 the distribution of heroin. Then it also takes into account
24 the two-level increase for the multiple victims, the fact that
25 he was involved with women who were addicted to heroin and who

1 found themselves to be in a position where they didn't feel
2 like they had any recourse but to continue working.

3 There is nothing in this case that takes it outside of the
4 heartland and there's nothing in this case that makes it more
5 or less serious than any other case with those enhancements, so
6 I'm asking the Court to --

7 **THE COURT:** Let me ask you about that.

8 **MS. GLEASON:** Yes, Your Honor.

9 **THE COURT:** I mean, I'm not talking about varying. I
10 don't think the Government has filed a request for that.

11 **MS. GLEASON:** Yes, Your Honor.

12 **THE COURT:** He does have a -- two convictions, one for
13 misdemeanor solicitation of prostitution and then another one
14 for aiding and abetting prostitution, and it looked to me like
15 the solicitation one occurred and he was convicted before the
16 conduct at issue here.

17 **MS. GLEASON:** That's correct.

18 **THE COURT:** And then the aiding and abetting, it
19 occurred and he was arrested before the conduct here. He was
20 convicted of it afterwards, but -- so you have -- let me see if
21 I can get those in front of me specifically. So he's arrested
22 in January 2016. It looks like convicted that same day.
23 Something must not be quite right about that. But offense
24 occurred back in December 2015. And then shortly thereafter,
25 in paragraph 45, middle of March, he's arrested for the next

1 prostitution-related offense when he made bond and then this
2 occurred late, you know, in April and May.

3 **MS. GLEASON:** That's correct, Your Honor.

4 **THE COURT:** So I'm -- I know those are misdemeanors,
5 but it sounds like from the nature of those convictions --
6 aiding and abetting prostitution, soliciting -- that he's
7 involved in this kind of behavior and that the prior arrests
8 and sentences -- he got 34 days on the first one, which is not
9 that long, but -- are not -- not -- not doing anything to deter
10 the behavior here, which is actually worse.

11 So how does that weigh in to the determination of an
12 appropriate sentence?

13 **MS. GLEASON:** Well, a couple of things, Your Honor.
14 Only the 34-day sentence was something that he served before
15 this occurred. So I would separate those two rather than say,
16 "We've got these two things and then -- and then we've got this
17 third; and if these two sentences haven't deterred him, what's
18 going to?" So I would separate those.

19 And then the other thing, Your Honor, that I think is
20 probably more important is the fact that we've got at most a
21 five-month period of time, that it's not -- this isn't
22 something that's been going on, as far as I know, over the
23 course of months or years. This is really one five-month run
24 where he's been arrested once, did -- served the 34 days on the
25 misdemeanor.

1 And then the Forsyth County, he actually didn't get out on
2 bond. He was charged while he was in custody with Brunswick
3 County; and when Brunswick County dropped the bond for him to
4 go into federal custody, there was still the -- the outstanding
5 warrant in Forsyth. So he first went to Forsyth, got his
6 conviction, and then came with the Feds. So that all became
7 one big ball of wax and that sentence -- that 45-day sentence
8 is something that therefore he won't get credit for with the
9 Federal Bureau. That will be considered to have been served
10 for Forsyth County.

11 So, Your Honor, what I would suggest the Court look at is
12 that it is a relatively limited time period run of time that he
13 went -- ran into this, ran into this, and then, bam, ran into
14 this conviction, which is certainly the big one that's hit him
15 over the head.

16 **THE COURT:** Okay.

17 **MS. GLEASON:** And I would also point out that he did
18 receive criminal history points for both of those convictions
19 and that had he not gone up to Forsyth County when everyone
20 thought he was going to come into federal custody he wouldn't
21 have that additional point. So that is also accounted for in
22 the guideline calculation.

23 **THE COURT:** Okay.

24 **MS. GLEASON:** And I also want to sort of in that same
25 vein, as the Court has probably noticed, that over the course

1 of his life he has served, until the time he started serving
2 now, which has been over a year, less than a total of a year
3 maybe. It was maybe even half a year total in custody. So the
4 jump that he's going to receive today versus what punishment he
5 has received for any of his conduct before is already going to
6 be a huge jump, a, you know, geometric progression of a jump.
7 So any message that the Court would like to send based on his
8 criminal history and not having served time will certainly be
9 sent with a guideline sentence.

10 And a couple of things, Your Honor, I want to point out
11 outside of that is that Mr. Boyles, unlike many folks in this
12 position, has a strongly marketable skill. He's an
13 electrician. He is good with his hands, and he's quick at
14 learning trades and building trades, and he will be able to,
15 when he gets out, get back on his feet quickly if, Your
16 Honor -- the second piece is if he remains clean and sober.

17 Mr. Boyles has a long history of substance abuse issues.
18 He has asked -- as it states in the presentence report, he's
19 asked to receive treatment when he's at the Bureau of Prisons.
20 He has expressed that if the -- he is involved in things when
21 he is using; and that if he can stay clean, then he is not with
22 these people and in these places. He'll be able to remove
23 himself from these people and places because he doesn't need
24 them if he doesn't need to buy anything from them or to get
25 money to buy anything.

1 So really I think the key to allowing him to make use of
2 the skills that he has is his own commitment to stay clean and
3 sober; and towards that end, he's asking for treatment. We've
4 discussed the help that will be available to him when he gets
5 out through the U.S. Probation office and that he should lean
6 on them should the need arise.

7 I'm asking the Court for all those reasons to sentence him
8 in the middle of the guidelines.

9 **THE COURT:** Thank you.

10 For the Government.

11 **MR. RAMASWAMY:** Your Honor, I would tend to agree with
12 much of what counsel said. In this instance, the guidelines
13 accurately reflect the sentencing range due to the specific
14 offense characteristics. That criminal history here -- that
15 additional point for the last conviction I think makes him a
16 criminal -- that's a total of four points and that makes a
17 Criminal History Category III by that last point.

18 So what I would ask -- I would concur with what the
19 probation officer has recommended here and that's the high end
20 of the range in consideration of those two prior acts. The
21 Government is not asking for any sentence outside of the
22 range -- the advisory guideline range here.

23 I want to address two other things. The presentence report
24 addressed the restitution issue here that the Government was to
25 investigate. The case agent is here, Ms. Cataldo, from the

1 FBI. The Government cannot say that the requested amount of
2 \$1,200 from the victim was proximately caused by the
3 Defendant's actions. That appears to have been vehicle
4 impoundment fees from when the victim Jane Doe 1 left her car
5 in Virginia and not as a result of the Defendant's conduct. So
6 the Government is not going to present that \$1,200 for
7 restitution. It's not the Government's to weigh, but I
8 understand the special assessment in this case, the additional
9 \$5,000, the Government doesn't wish to be heard if the Court,
10 upon finding of indigency, does not apply that.

11 The plea agreement in this case has the potential for sex
12 offender registration; and when that involves an adult victim
13 here, the Court would need, preferably on the judgment, to have
14 a finding that it is a sex offense committed by means of force
15 and that is because it's not automatically a registration
16 offense otherwise. So the Government would ask that that
17 finding be made in support of sex offender registration if the
18 Court does impose that.

19 So the Government, in summary, we're asking for a sentence
20 at the high end of the advisory guideline range.

21 **THE COURT:** Okay. So the special assessment is
22 required when the Defendant is nonindigent, but here we know
23 he's indigent, right, because there's Ms. Gleason from the
24 federal offender's office?

25 **MS. GLEASON:** Yes, Your Honor.

1 **THE COURT:** So you're not asking otherwise on that,
2 right?

3 **MR. RAMASWAMY:** Correct, Your Honor.

4 **THE COURT:** Okay. I'm making sure I understood that.
5 Does the Defendant want to be heard on either of the
6 matters raised by the prosecutor?

7 **MS. GLEASON:** Yes, Your Honor.

8 As to the second, that the judgment reflect this is a sex
9 offense by means of force, there are two -- two -- I don't
10 think they're elements, but prongs: Force and coercion. The
11 withholding of heroin falls under the coercion prong, Your
12 Honor. It is not a force issue and I would strongly oppose any
13 finding by the Court that this was a sex offense by means of
14 force.

15 **THE COURT:** All right. Let's see. Can somebody
16 direct me to the statute?

17 **MR. RAMASWAMY:** They just recodified this into the new
18 Title 34 and I don't think it's going to appear in your statute
19 book, Your Honor.

20 **THE COURT:** In my book?

21 **MR. RAMASWAMY:** But it had formerly been at 42 U.S.C.
22 16911 and then Subsection H of that, if I recall correctly,
23 makes it --

24 **THE COURT:** Okay. Hold on a second. I may have to
25 look it up online anyway. Okay. You said it was at Title 42

1 where?

2 **MR. RAMASWAMY:** Section 16911, Your Honor.

3 **THE COURT:** And it didn't change when they recodified
4 it?

5 **MR. RAMASWAMY:** Title 34 is still -- I don't remember
6 the first two numbers. It still ends in 911.

7 (Pause in the proceedings.)

8 **THE COURT:** Okay. You all are going to have to help
9 me with this a little bit.

10 **MR. RAMASWAMY:** Let me address it this way, Your
11 Honor. If this had involved a minor victim, I don't think I
12 would -- it wouldn't be discretionary, first of all.

13 **THE COURT:** Right. So I'm looking at the statute and
14 so you've got Tier 1, Tier 2, and Tier 3. So you're saying he
15 is a --

16 **MR. RAMASWAMY:** Well, down below that, when it gives
17 the classifications -- it may be at Section H -- if it involves
18 an adult victim, then it would only be -- it's an exception if
19 the acts are consensual. Now, at the beginning of this offense
20 conduct -- and it's in the factual basis that the victim in
21 this case agreed -- for the purposes of beginning to receive
22 heroin, agreed to become a prostitute for the Defendant. You
23 know, under those circumstances, I don't know -- I know the
24 force aspect follows, but --

25 **THE COURT:** I'm just trying to get -- look at the

1 specific statute we're talking about and I'm having a little
2 trouble with that. Do you have it in front of you, 42-16911 or
3 34-20911?

4 **MR. RAMASWAMY:** I do, Your Honor.

5 **THE COURT:** Okay. So where -- I'm looking at 16911,
6 but let me pull the other one up.

7 **MR. RAMASWAMY:** This would not be -- a forced labor
8 offense would not be one covered by statute in the tiers.

9 **THE COURT:** Okay.

10 **MR. RAMASWAMY:** It would be at -- if it is defined as
11 being a sex offense.

12 **THE COURT:** Okay. So you're talking about
13 Subsection 5?

14 **MR. RAMASWAMY:** This would be under the catchall.

15 **THE COURT:** Which subsection?

16 Do you need a book, Ms. Gleason?

17 **MS. GLEASON:** No, Your Honor. Thank you.

18 **THE COURT:** Okay. I just -- I'm trying to look at the
19 exact language because this is -- I had not looked at this -- I
20 had not focused on this issue before we came to court this
21 morning.

22 **MR. RAMASWAMY:** One moment, please. I'm sorry.

23 **THE COURT:** That's okay. Take your time.

24 (Pause in the proceedings.)

25 **THE COURT:** It's like my first week in criminal court

1 when you had to explain to me what a 924(c) was so -- you know,
2 it looks to be the same under the --

3 **MR. RAMASWAMY:** I'd say in defining a sex offense in
4 Section 5(A)(i).

5 **THE COURT:** "A criminal offense that has an element
6 involving a sexual act or sexual contact with another." That's
7 the one?

8 **MR. RAMASWAMY:** Well, in this instance, the sex act is
9 not an element of the offense --

10 **THE COURT:** Right.

11 **MR. RAMASWAMY:** -- and it does not involve a minor.
12 I'm sorry if I've confused the Court.

13 **THE COURT:** Well, you're asking -- I mean, the
14 probation office had mentioned sex registration. So if I -- I
15 just want to give it appropriate consideration if -- as to
16 whether he is required to register -- whether I -- whether he
17 meets the requirements.

18 **MS. GLEASON:** If I may, Your Honor?

19 **THE COURT:** Yes.

20 **MS. GLEASON:** It is part of his plea agreement and one
21 of the conditions of his release that if he is required by
22 state or federal law to register that he register. It is
23 Mr. Boyles' position that he is not required to.

24 **THE COURT:** Okay.

25 **MR. RAMASWAMY:** The -- if the Court -- even if the

1 Court deems this was a sex offense under 5(C), that's the
2 exception to registration, and it's the force -- it has to do
3 with custodial authority for an adult, if the Court were to
4 find that the victim were in custodial authority.

5 **THE COURT:** Hold on just one second.

6 Mr. Lucas, can you find the P&E for this case and just read
7 the elements out loud?

8 (Pause in the proceedings.)

9 **THE COURT:** You don't -- if I can ask the probation
10 officer, there's nothing in the presentence report other than
11 just saying he shall comply with any applicable requirements,
12 right?

13 **PROBATION OFFICER:** Yes, ma'am. It would be as part
14 of the plea agreement he agrees to register if required.

15 **THE COURT:** Okay. But you -- there's nothing in here
16 that addresses whether he's required?

17 **PROBATION OFFICER:** Correct.

18 **THE COURT:** Okay. Just making sure I didn't overlook
19 that.

20 I'm having a little trouble -- I just want to look at the
21 elements again. This is -- I don't normally need this during
22 sentencing, so I don't have the paper file with me. All right.
23 This is 18 U.S.C. 1589, 1594. So it does not appear to be
24 specifically covered, right?

25 **MR. RAMASWAMY:** That's correct, Your Honor. It's not

1 even by chapter mentioned. And I will say, because the
2 Government often uses lesser offenses than sex trafficking in
3 certain cases, the plea agreement language is -- is probably
4 broader in this instance than it needed to be. I know the
5 Court has not yet made its findings.

6 **THE COURT:** Well, it just doesn't look like he falls
7 into any of these categories.

8 **MR. RAMASWAMY:** I agree it's not -- it's not an
9 element, it's not mentioned by chapter, and the Government I
10 don't think on the facts of this can advocate that registration
11 is appropriate to be applied.

12 **THE COURT:** Okay. Of course, I don't know about state
13 law.

14 **MS. GLEASON:** Yes, Your Honor. And I have researched
15 state law and I'm certainly not a state practitioner. It's my
16 understanding he is not required under North Carolina, but
17 that's just my opinion.

18 (Pause in the proceedings.)

19 **THE COURT:** Yeah, I'm just looking back at the
20 elements that I went over with him when he pled guilty and that
21 was that he knowingly provided and obtained the services of
22 Jane Doe 1 by threats of serious harm intended to cause her to
23 believe that if she did not perform the services she would
24 suffer serious harm. So that -- okay. So the upside of that
25 is, since it appears he is not -- I do not need to put anything

1 in the judgment then because he doesn't appear to fall under
2 those categories. But, of course, Congress and state
3 legislatures are -- tend to look at these laws pretty
4 regularly. Generally speaking, he may not be required today,
5 but if they amend the law tomorrow, he might be required then.

6 **MS. GLEASON:** That's correct, Your Honor, and
7 Mr. Boyles understands that.

8 **THE COURT:** Okay. All right. So I think I've heard
9 from counsel about everything I need to hear from you on, but I
10 have not heard from Mr. Boyles yet. Anything before I call on
11 him?

12 Okay. Mr. Boyles, if you would stand. If there is
13 anything that you want to say to me before I make a decision
14 about your sentence, I am glad to hear from you. You do not
15 have to speak and I won't hold it against you if there's
16 nothing you want to add, but if there's anything you want to
17 tell me, please go ahead.

18 **THE DEFENDANT:** Just that I take full responsibility
19 for the actions that I've taken. You know, I was involved in
20 some things that I maybe shouldn't have been. I engaged in a
21 relationship with a prostitute which led me to all this. This
22 is the longest time I've been in custody. I do not intend on
23 repeating my actions.

24 My mother is very sick and ill. I'm trying to put this
25 behind me so I can get back home and spend the last days she

1 has because she is kind of fading pretty fast. I am asking,
2 you know, maybe when you sentence me to keep me close to home.

3 **THE COURT:** All right.

4 **THE DEFENDANT:** Thank you.

5 **THE COURT:** Thank you. Your mother lives in High
6 Point?

7 **THE DEFENDANT:** Yes, ma'am.

8 (Pause in the proceedings.)

9 **THE COURT:** The Court's considered the matter based on
10 the facts in the presentence report and the arguments of
11 counsel. He does not have previous felonies, but he does have
12 quite a few misdemeanors and in pretty quick succession.
13 Especially the ones in 2016 give me some concern, but basically
14 I think it's the nature and circumstances of the offense that
15 drives the sentence here. The indictment mentions Jane Doe 1.
16 It looks like there were some other women involved and a
17 pretty -- pretty serious course of conduct here that occurred
18 over -- it wasn't just a one-time event.

19 So taking those things into account, it seems to me that a
20 sentence at the high end is appropriate. The guidelines do
21 take into account the things that are most important: His
22 criminal record, the nature of the offense, the heroin, the
23 vulnerable victim. So there's no need to go above the
24 guideline range but within the guideline range. In view of
25 those things, a sentence at the high end is appropriate.

1 I'll sentence him to 71 months in the custody of the Bureau
2 of Prisons.

3 I know everybody expects the state charges to be dismissed,
4 but if for any reason he's convicted of those, the Court would
5 recommend that the sentence run consecutive since they appear
6 to be unrelated.

7 **MS. GLEASON:** Your Honor, if I may, the sex
8 trafficking charge in Brunswick is part of the same course of
9 conduct. He was arrested in Brunswick County for these charge.

10 **THE COURT:** Oh, that's right. Okay. So let's see.
11 The criminal history one that I was looking at -- this always
12 confuses me because that --

13 **MS. GLEASON:** The Brunswick County human trafficking
14 charge appears at paragraph 12, Your Honor. It jumps back.

15 **THE COURT:** All right. Concurrent to paragraph 12,
16 consecutive to paragraph 50.

17 **MS. GLEASON:** Yes, Your Honor.

18 **THE COURT:** If they're all dismissed, it will all be a
19 moot point.

20 He'll have to pay the special assessment of a hundred
21 dollars, due and payable immediately.

22 I'll waive the additional 5,000-dollar assessment since he
23 is indigent.

24 There is no restitution within the statutory definition of
25 that term, so I will not order any and I will waive the fine

1 based on inability to pay.

2 I'll recommend intensive substance abuse treatment for him
3 and that he be housed as close as possible to his family in
4 Guilford County.

5 The active sentence will be followed by a period of
6 supervised release for 3 years. He shall comply with the
7 standard and mandatory conditions, and I will adopt in full the
8 recommended conditions of supervised release set forth in the
9 presentence report.

10 To summarize those, he shall comply with any applicable
11 state and federal sex offender registration requirements. As
12 best I can tell, there's not a federal one at the moment, but
13 that is sometimes a moving target. He shall submit to
14 substance abuse testing and cooperatively participate in
15 treatment, participate in a cognitive behavioral treatment
16 program as directed, not borrow money without approval, and
17 provide financial information since it appears he was in this,
18 at least in part, to make money. We need to be sure he's
19 earning a living through lawful means.

20 The probation officer is recommending that he notify the
21 probation officer of any material change in his economic
22 circumstances that affect his ability to pay restitution or a
23 fine, but I'm going to strike that one since he's not going to
24 pay restitution or a fine.

25 And he needs to submit to warrantless searches for drugs

1 and support his children and comply with any child support
2 orders.

3 There are counts to be dismissed, correct, pursuant to the
4 plea agreement?

5 **MS. GLEASON:** That's correct, Judge.

6 **THE COURT:** Any remaining counts will be dismissed.

7 I believe there's an appeal -- some limits on his appeal
8 rights.

9 **MS. GLEASON:** That is correct.

10 **THE COURT:** Mr. Boyles, if you do think that the
11 sentence is not covered by your appeal waiver, you do have to
12 appeal in writing within 14 days of the entry of the Court's
13 judgment. Those rights are limited for you, as we went over
14 when you pled guilty, but there are a few situations where you
15 can appeal. If you think there's reason for that -- to do
16 that, then let Ms. Gleason know or file something yourself
17 within 14 days of the Court's judgment because -- well, it has
18 to be filed in writing within 14 days.

19 Have I forgotten anything else or is there anything else
20 anyone wants me to address?

21 **MS. GLEASON:** Not for the defense, Your Honor.

22 **MR. RAMASWAMY:** No, Your Honor.

23 **THE COURT:** No.

24 All right. Mr. Boyles, nobody wants to see you back in
25 court, so if you can get the drug use under control and avoid

1 those bad influences and not become a bad influence yourself, I
2 hope we won't see you back in court again. Good luck to you.

3 All right. I believe that's the business for the morning,
4 correct?

5 **MR. RAMASWAMY:** Yes, Your Honor.

6 **THE COURT:** We're in recess until two o'clock.

7 (Proceedings concluded at 11:04 a.m.)
8
9

10 **C E R T I F I C A T E**

11 I, LORI RUSSELL, RMR, CRR, United States District Court
12 Reporter for the Middle District of North Carolina, DO HEREBY
CERTIFY:

13 That the foregoing is a true and correct transcript of the
14 proceedings had in the within-entitled action; that I reported
15 the same in stenotype to the best of my ability and thereafter
reduced same to typewriting through the use of Computer-Aided
Transcription.

16
17 

18 Lori Russell, RMR, CRR
19 Official Court Reporter
20
21
22
23
24
25

Date: 6-27-18